

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FREDRICK MICHAEL WESTFALL,

Defendant.

4:15CR3049

ORDER

Defendant was afforded an opportunity for a hearing, but agreed to be detained without a hearing. Defendant has therefore failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that Defendant will appear at court proceedings and will not pose a danger to the safety of any person or the community if released. The Court's findings are based on the allegations within the Petition.

IT IS ORDERED:

- 1) Defendant is committed to the custody of the Attorney General for confinement in a corrections facility; Defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver Defendant to a United States Marshal for appearance in connection with a court proceeding.
- 2) The Amended Petition (Filing No. 85), supersedes the Initial Petition (Filing No. 72). The Initial Petition (Filing No. 72), is therefore terminated.

June 14, 2019.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge